

OUR FILE NO.: 090.155440

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ADRIAN SCHOOLCRAFT,

Index No.: 10-CIV-6005

Plaintiff,

- against -

THE CITY OF NEW YORK, DEPUTY CHIEF MICHAEL MARINO, Tax Id. 873220, Individually and in his Official Capacity, ASSISTANT CHIEF PATROL BOROUGH BROOKLYN NORTH GERALD NELSON, Tax Id. 912370, Individually and in his Official Capacity, DEPUTY INSPECTOR STEVEN MAURIELLO, Tax Id. 895117, Individually and in his Official Capacity, CAPTAIN THEODORE LAUTERBORN, Tax Id. 897840, Individually and in his Official Capacity, LIEUTENANT JOSEPH GOFF, Tax Id. 894025, Individually and in his Official Capacity, stg. Frederick sawyer, Shield No. 2576, Individually and in his Official Capacity, SERGEANT KURT DUNCAN, Shield No. 2483, Individually and in his Official Capacity, LIEUTENANT CHRISTOPHER BROSCART, Tax Id. 915354, Individually and in his Official Capacity, LIEUTENANT TIMOTHY CAUGHEY, Tax Id. 885374, Individually and in his Official Capacity, SERGEANT SHANTEL JAMES, Shield No. 3004, and P.O.'s "JOHN DOE" #1-50, Individually and in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown) (collectively referred to as "NYPD defendants"), JAMAICA HOSPITAL MEDICAL CENTER, DR. ISAK ISAKOV, Individually and in his Official Capacity, DR. LILIAN ALDANA-BERNIER, Individually and in her Official Capacity and JAMAICA HOSPITAL MEDICAL CENTER EMPLOYEE'S "JOHN DOE" # 1-50, Individually and in their Official Capacity (the name John doe being fictitious, as the true names are presently unknown),

**DEFENDANT ALDANA-  
BERNIER'S FIRST SET  
OF INTERROGATORIES  
AND DEMANDS**

**ECF CASE**

Defendants.

-----X

Defendant, DR. LILIAN ALDANA-BERNIER, hereby requests, pursuant to Rule 33.3 of the Civil Rules of the United States District Court for the Southern District of New York

and Rules 26, 33 and 34 of the Federal Rules of Civil Procedure, that plaintiff answer under oath, within thirty (30) days, the following interrogatories.

These interrogatories are deemed to be continuing pursuant to Rule 26(e) of the Federal Rules of Civil Procedure.

If any objection is made to any interrogatory, or to any subpart thereof, you are required to comply in full with the requirements of Federal Rule of Civil Procedure Rule 33(b) and Local Civil Rule 37.1.

### **INSTRUCTIONS & DEFINITIONS**

a) These interrogatories are directed toward the above named parties, their agents, representatives, employees, attorneys, and any other person(s) subject to its control.

b) If you cannot answer any of the following interrogatories in full after exercising due diligence in attempting to secure the information available to you at the date of your response to these interrogatories, explain why you cannot answer the remainder and state the nature of the information or knowledge that you cannot furnish.

c) The term "person", as used herein, shall be deemed to include, in the plural as well as singular, any natural person, firm, association, partnership, joint venture, corporation, or other entity, unless the context otherwise indicates.

d) The word "identify" or "identity" when used herein with reference to a person, means that you are to give the person's full name, all known business addresses, all known residence addresses and all known occupations.

e) The term "documents" as used herein, shall mean originals and all copies, unless identical, of all forms of tangible expression, including, without limitation, any written,

printed, recorded, pictorial, graphic or photographic material, however produced or reproduced, formal or informal, whether for internal or external use, including without limitation, correspondence, letters, memoranda, drafts, corporate minutes, diary or employment book entries, telephone logs, telegrams, telexes, notes (including stenography notes), minutes, reports, contracts, agreements, directives, instructions, court papers, graphic representations, lists of persons or things, books, pamphlets, manuscripts, canceled checks, mechanical and electric sound recordings, charts, tapes, videotapes, microfilm, microfiche, indices, data sheets, data processing cards and tapes, statistical tables, memorandum made of any telephone communications and diagrams.

f) The term "communication" as used herein, shall mean any oral, written or matter of transmission or transfer of information.

g) If you are asked to identify a document as defined in paragraph "e" above' for each document please state the following:

- (1) a specific description of the document and the sum and substance of the content thereof;
- (2) the date the document was prepared;
- (3) the identity of each person signing or executing the document;
- (4) the date on which such person signed or executed the document;
- (5) the identity of the person who prepared the document or who aided or assisted in the preparation of said document.

h) With respect to any communications referred to herein you are requested to state:

- (1) the identity of each person who made each communication;

- (2) the identity of each person to whom each communication was made;
- (3) the identity of each person who was present during each communication or who received a copy of each communication;
- (4) a complete description of the substance and content of the communication.

The information requested in paragraphs "g" and "h" above need not be supplied if the document or a copy of the communication (or an accurate transcription or recording thereof) accompanies the service of your responses to these interrogatories. When such document or copy, transcription or recording of a communication is supplied in response to these interrogatories, please identify by number each interrogatory to which the document is responsive. These interrogatories are deemed continuing so as to require reasonable supplemental answers if you obtain further information between the time your answers are served and the time of trial.

#### **INTERROGATORIES**

- 1. Identify any witness to the factual allegations set forth in the Complaint.
- 2. Identify any witness to the injuries alleged to have been caused by the defendant, including any witness to adverse changes in the plaintiff's condition alleged to have been caused the defendant.
- 3. Identify any physician or health care professional, including mental health professional, who has evaluated or treated the plaintiff for injuries or damages allegedly caused by defendant DR. LILIAN ALDANA-BERNIER's actions.
- 4. Identify any physician or health care professional, including mental health professional, who evaluated or treated the plaintiff, before the incident complained of, for

similar or related conditions as the condition for which the plaintiff consulted the defendant.

5. State in detail each and every financial expense or loss allegedly incurred by plaintiff as a result of defendant, DR. LILIAN ALDANA-BERNIER's actions:

- (a) a description of its nature;
- (b) the amount;
- (c) the date incurred; and
- (d) the amount of similar estimated future expenses or losses, if any.

6. Itemize in specific detail the mathematical basis for the total amount of damages plaintiff claimed in the complaint, stating:

- (a) how plaintiff arrived at this figure;
- (b) whether plaintiff used a mathematical per diem figure in calculating any component of damages and, if so;
- (c) the per diem used.

7. Does plaintiff claim any monetary damages for physical or mental pain and suffering or emotional injury? If so, state:

- (a) the monetary amount of damages for physical pain and suffering,
- (b) the monetary amount of damages for mental suffering or emotional injury; and
- (c) the method or method(s) by which plaintiff arrived at the amounts stated above and, if by the use of a per diem figure, the amount per day.

8. Does the plaintiff claim any special damages in this case? If so, state:

- (a) a description of their nature;
- (b) the amount; and

(c) the mathematical basis for the amount claimed.


9. Identify by general description, location and custodian of all documents relevant to the allegations in plaintiff's complaint.

10. Identify all documents received by the plaintiff from the defendant or from his office.

11. Identify all medical records in the possession of plaintiff or his counsel pertaining to the allegations in plaintiff's Complaint.

Dated: New York, New York  
November 11, 2010

Yours, etc.,  
CALLAN, KOSTER, BRADY & BRENNAN, LLP

  
By: BRUCE M. BRADY, ESQ. (BMB4816)  
A Member of the Firm  
Attorneys for Defendant  
DR. LILIAN ALDANA-BERNIER  
One Whitehall Street, 10th Floor  
New York, New York 10004  
(212) 248-8800  
[bbrady@ckbbllaw.com](mailto:bbrady@ckbbllaw.com)

TO: JON L. NORINSBERG, ESQ. (JN2133)  
Attorney for Plaintiff  
225 Broadway, Suite 2700  
New York, New York 10007  
(212) 791-5396  
[norinsberg@aol.com](mailto:norinsberg@aol.com)

COHEN & FITCH, LLP  
GERALD COHEN (GC0414)  
JOSHUA FITCH (JF2813)  
Attorneys for Plaintiff  
225 Broadway, Suite 2700  
New York, New York 10007  
(212) 374-9115  
[gcohen@cohenfitch.com](mailto:gcohen@cohenfitch.com)  
[jfitch@cohenfitch.com](mailto:jfitch@cohenfitch.com)

OUR FILE NO.: 090.155440

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ADRIAN SCHOOLCRAFT,

Plaintiff,

- against -

THE CITY OF NEW YORK, DEPUTY CHIEF MICHAEL MARINO, Tax Id. 873220, Individually and in his Official Capacity, ASSISTANT CHIEF PATROL BOROUGH BROOKLYN NORTH GERALD NELSON, Tax Id. 912370, Individually and in his Official Capacity, DEPUTY INSPECTOR STEVEN MAURIELLO, Tax Id. 895117, Individually and in his Official Capacity, CAPTAIN THEODORE LAUTERBORN, Tax Id. 897840, Individually and in his Official Capacity, LIEUTENANT JOSEPH GOFF, Tax Id. 894025, Individually and in his Official Capacity, stg. Frederick sawyer, Shield No. 2576, Individually and in his Official Capacity, SERGEANT KURT DUNCAN, Shield No. 2483, Individually and in his Official Capacity, LIEUTENANT CHRISTOPHER BROSCART, Tax Id. 915354, Individually and in his Official Capacity, LIEUTENANT TIMOTHY CAUGHEY, Tax Id. 885374, Individually and in his Official Capacity, SERGEANT SHANTEL JAMES, Shield No. 3004, and P.O.'s "JOHN DOE" #1-50, Individually and in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown) (collectively referred to as "NYPD defendants"), JAMAICA HOSPITAL MEDICAL CENTER, DR. ISAK ISAKOV, Individually and in his Official Capacity, DR. LILIAN ALDANA-BERNIER, Individually and in her Official Capacity and JAMAICA HOSPITAL MEDICAL CENTER EMPLOYEE'S "JOHN DOE" # 1-50, Individually and in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown),

Defendants.  
-----X

Index No.: 10-CIV-6005

**DEMAND FOR MEDICAL  
AUTHORIZATIONS AND  
MEDICAL RECORDS**

**ECF CASE**

**PLEASE TAKE NOTICE** that pursuant to Rule 26 of the Federal Rules of Civil Procedure, plaintiff or plaintiff's attorney is required to serve upon the undersigned, within

twenty (20) days after receipt of this notice, the following:

- (a) The names and addresses of all physicians or other health care providers of every description who have consulted, examined or treated the plaintiffs for each of the conditions allegedly caused or exacerbated by the occurrence described in the Complaint, including the dates of such consultation, treatment or examination.
- (b) Duly executed and acknowledged written authorizations to allow the defendant to obtain the complete medical records relating to the plaintiffs of each health-care provider identified in (a) above.
- (c) Copies of all medical reports received from health care providers identified in (a) above.
- (d) Duly executed and acknowledged written authorizations directed to any hospital, clinic or other health-care facility in which plaintiffs are or were treated or confined due to the occurrence set forth in the complaint, so as to permit the securing of a copy of the entire hospital record, including x-rays, etc.

Upon your failure to comply herewith, the plaintiffs herein will be precluded at the trial of this action from testifying to or offering any evidence of the conditions described in the reports or records demanded. Furthermore, failure to provide authorizations for medical records will result in the plaintiffs being precluded at the trial of this action from offering any evidence or testimony about any part of the hospital records, medical records, x-ray or reports of any technicians etc. not made available to the defendant.

Dated: New York, New York  
November 11, 2010

Yours, etc.,  
CALLAN, KOSTER, BRADY & BRENNAN, LLP

Attorneys for Defendant  
DR. LILIAN ALDANA-BERNIER  
One Whitehall Street, 10th Floor  
New York, New York 10004  
(212) 248-8800  
[bbrady@ckbbblaw.com](mailto:bbrady@ckbbblaw.com)

TO: JON L. NORINSBERG, ESQ. (JN2133)  
Attorney for Plaintiff  
225 Broadway, Suite 2700  
New York, New York 10007  
(212) 791-5396  
[norinsberg@aol.com](mailto:norinsberg@aol.com)

COHEN & FITCH, LLP  
GERALD COHEN (GC0414)  
JOSHUA FITCH (JF2813)  
Attorneys for Plaintiff  
225 Broadway, Suite 2700  
New York, New York 10007  
(212) 374-9115  
[gcohen@cohenfitch.com](mailto:gcohen@cohenfitch.com)  
[jfitch@cohenfitch.com](mailto:jfitch@cohenfitch.com)

OUR FILE NO.: 090.155440

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ADRIAN SCHOOLCRAFT,

Index No.: 10-CIV-6005

Plaintiff,

- against -

THE CITY OF NEW YORK, DEPUTY CHIEF MICHAEL MARINO, Tax Id. 873220, Individually and in his Official Capacity, ASSISTANT CHIEF PATROL BOROUGH BROOKLYN NORTH GERALD NELSON, Tax Id. 912370, Individually and in his Official Capacity, DEPUTY INSPECTOR STEVEN MAURIELLO, Tax Id. 895117, Individually and in his Official Capacity, CAPTAIN THEODORE LAUTERBORN, Tax Id. 897840, Individually and in his Official Capacity, LIEUTENANT JOSEPH GOFF, Tax Id. 894025, Individually and in his Official Capacity, stg. Frederick sawyer, Shield No. 2576, Individually and in his Official Capacity, SERGEANT KURT DUNCAN, Shield No. 2483, Individually and in his Official Capacity, LIEUTENANT CHRISTOPHER BROSCART, Tax Id. 915354, Individually and in his Official Capacity, LIEUTENANT TIMOTHY CAUGHEY, Tax Id. 885374, Individually and in his Official Capacity, SERGEANT SHANTEL JAMES, Shield No. 3004, and P.O.'s "JOHN DOE" #1-50, Individually and in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown) (collectively referred to as "NYPD defendants"), JAMAICA HOSPITAL MEDICAL CENTER, DR. ISAK ISAKOV, Individually and in his Official Capacity, DR. LILIAN ALDANA-BERNIER, Individually and in her Official Capacity and JAMAICA HOSPITAL MEDICAL CENTER EMPLOYEE'S "JOHN DOE" # 1-50, Individually and in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown),

**DEMAND FOR  
MEDICAL RECORDS**

**ECF CASE**

Defendants.  
-----X

COUNSELORS:

**PLEASE TAKE NOTICE**, pursuant to Rule 35 of the Federal Rules of Civil Procedure, the plaintiff or plaintiff's attorneys are required to serve upon the undersigned,

within twenty (20) days, the following:

Copies of the medical reports of those physicians who have treated or examined the plaintiff and who will testify on the plaintiff's behalf. Same shall include a detailed written report setting out the examining physician's findings, including results of all tests made, diagnosis and conclusions, together with a statement of the injuries and conditions as to which testimony will be offered at the trial. Said reports shall also identify those x-rays, technicians' or medical reports, etc. which will be offered at the trial. All reports of earlier examinations of the same condition shall also be included.

Dated: New York, New York  
November 11, 2010

Yours, etc.,  
CALLAN, KOSTER, BRADY & BRENNAN, LLP

Attorneys for Defendant  
DR. LILIAN ALDANA-BERNIER  
One Whitehall Street, 10th Floor  
New York, New York 10004  
(212) 248-8800  
[bbrady@ckbbblaw.com](mailto:bbrady@ckbbblaw.com)

TO: JON L. NORINSBERG, ESQ. (JN2133)  
Attorney for Plaintiff  
225 Broadway, Suite 2700  
New York, New York 10007  
(212) 791-5396  
[norinsberg@aol.com](mailto:norinsberg@aol.com)

COHEN & FITCH, LLP  
GERALD COHEN (GC0414)  
JOSHUA FITCH (JF2813)  
Attorneys for Plaintiff  
225 Broadway, Suite 2700  
New York, New York 10007  
(212) 374-9115  
[gcohen@cohenfitch.com](mailto:gcohen@cohenfitch.com)  
[jfitch@cohenfitch.com](mailto:jfitch@cohenfitch.com)

OUR FILE NO.: 090.155440

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ADRIAN SCHOOLCRAFT,

Index No.: 10-CIV-6005

Plaintiff,

- against -

THE CITY OF NEW YORK, DEPUTY CHIEF MICHAEL MARINO, Tax Id. 873220, Individually and in his Official Capacity, ASSISTANT CHIEF PATROL BOROUGH BROOKLYN NORTH GERALD NELSON, Tax Id. 912370, Individually and in his Official Capacity, DEPUTY INSPECTOR STEVEN MAURIELLO, Tax Id. 895117, Individually and in his Official Capacity, CAPTAIN THEODORE LAUTERBORN, Tax Id. 897840, Individually and in his Official Capacity, LIEUTENANT JOSEPH GOFF, Tax Id. 894025, Individually and in his Official Capacity, stg. Frederick sawyer, Shield No. 2576, Individually and in his Official Capacity, SERGEANT KURT DUNCAN, Shield No. 2483, Individually and in his Official Capacity, LIEUTENANT CHRISTOPHER BROSCART, Tax Id. 915354, Individually and in his Official Capacity, LIEUTENANT TIMOTHY CAUGHEY, Tax Id. 885374, Individually and in his Official Capacity, SERGEANT SHANTEL JAMES, Shield No. 3004, and P.O.'s "JOHN DOE" #1-50, Individually and in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown) (collectively referred to as "NYPD defendants"), JAMAICA HOSPITAL MEDICAL CENTER, DR. ISAK ISAKOV, Individually and in his Official Capacity, DR. LILIAN ALDANA-BERNIER, Individually and in her Official Capacity and JAMAICA HOSPITAL MEDICAL CENTER EMPLOYEE'S "JOHN DOE" # 1-50, Individually and in their Official Capacity (the name Joh doe being fictitious, as the true names are presently unknown),

**DEMAND FOR COPIES  
OF STATEMENTS**

Defendants.  
-----X

COUNSELORS:

**PLEASE TAKE NOTICE** that pursuant to Rule 26 of the Federal Rules of Civil

Procedure, the plaintiff or plaintiff's attorney are required to serve on CALLAN, KOSTER, BRADY & BRENNAN, LLP, attorneys for defendant, DR. LILIAN ALDANA-BERNIER, within twenty (20) days the following:

(a) Written statements of the defendant in the possession of the plaintiffs or the attorney for the plaintiffs; and

(b) Records, memoranda, notes, tape recordings or other recorded communications of or by the defendant in possession of the plaintiffs or the attorney for the plaintiffs.

(c) This demand shall be deemed to continue during the pendency of this action, if any of the above, items are subsequently obtained by plaintiffs or plaintiffs' attorney.

Dated: New York, New York  
November 11, 2010

Yours, etc.,  
CALLAN, KOSTER, BRADY & BRENNAN, LLP

Attorneys for Defendant  
DR. LILIAN ALDANA-BERNIER  
One Whitehall Street, 10th Floor  
New York, New York 10004  
(212) 248-8800  
[bbrady@ckbbllaw.com](mailto:bbrady@ckbbllaw.com)

TO: JON L. NORINSBERG, ESQ. (JN2133)  
Attorney for Plaintiff  
225 Broadway, Suite 2700  
New York, New York 10007  
(212) 791-5396  
[norinsberg@aol.com](mailto:norinsberg@aol.com)

COHEN & FITCH, LLP  
GERALD COHEN (GC0414)  
JOSHUA FITCH (JF2813)  
Attorneys for Plaintiff  
225 Broadway, Suite 2700  
New York, New York 10007  
(212) 374-9115  
[gcohen@cohenfitch.com](mailto:gcohen@cohenfitch.com)  
[jfitch@cohenfitch.com](mailto:jfitch@cohenfitch.com)

OUR FILE NO.: 090.155440

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ADRIAN SCHOOLCRAFT,

Plaintiff,

- against -

THE CITY OF NEW YORK, DEPUTY CHIEF MICHAEL MARINO, Tax Id. 873220, Individually and in his Official Capacity, ASSISTANT CHIEF PATROL BOROUGH BROOKLYN NORTH GERALD NELSON, Tax Id. 912370, Individually and in his Official Capacity, DEPUTY INSPECTOR STEVEN MAURIELLO, Tax Id. 895117, Individually and in his Official Capacity, CAPTAIN THEODORE LAUTERBORN, Tax Id. 897840, Individually and in his Official Capacity, LIEUTENANT JOSEPH GOFF, Tax Id. 894025, Individually and in his Official Capacity, stg. Frederick sawyer, Shield No. 2576, Individually and in his Official Capacity, SERGEANT KURT DUNCAN, Shield No. 2483, Individually and in his Official Capacity, LIEUTENANT CHRISTOPHER BROSCART, Tax Id. 915354, Individually and in his Official Capacity, LIEUTENANT TIMOTHY CAUGHEY, Tax Id. 885374, Individually and in his Official Capacity, SERGEANT SHANTEL JAMES, Shield No. 3004, and P.O.'s "JOHN DOE" #1-50, Individually and in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown) (collectively referred to as "NYPD defendants"), JAMAICA HOSPITAL MEDICAL CENTER, DR. ISAK ISAKOV, Individually and in his Official Capacity, DR. LILIAN ALDANA-BERNIER, Individually and in her Official Capacity and JAMAICA HOSPITAL MEDICAL CENTER EMPLOYEE'S "JOHN DOE" # 1-50, Individually and in their Official Capacity (the name Joh doe being fictitious, as the true names are presently unknown),

Defendants.  
-----X

COUNSELORS:

**PLEASE TAKE NOTICE**, pursuant to Rule 26 of the Federal Rules of Civil

Index No.: 10-CIV-6005

**DEMAND FOR  
WITNESS  
INFORMATION**

**ECF FILING**

Procedure the plaintiffs or their attorney is required within twenty (20) days to serve upon the undersigned:

1. The names and addresses of any and all actual witnesses to the alleged occurrence known by plaintiff or plaintiff's counsel, either directly or through investigation.
2. The names and addresses of any and all witnesses known by the plaintiff or their counsel, either directly or through investigation, having knowledge of the conditions which are claimed as causing and/or contributing to the plaintiff's alleged injuries.
3. The names and addresses of any and all witnesses known by the plaintiff or their counsel, either directly or through investigation, to have knowledge concerning the defendant's notice of the relevant conditions prior to the plaintiff's alleged injuries.
4. The names and addresses of any expert witnesses who have examined the plaintiff, including those who will be called at trial.
5. This demand shall be deemed to continue during the pendency of this action, if any witness' names and/or addresses are subsequently obtained.

**PLEASE TAKE FURTHER NOTICE**, that upon your failure to produce the aforesaid documents at the time and place required in this Demand and Notice, a motion will be made for appropriate relief to the court.

Dated: New York, New York  
November 11, 2010

Yours, etc.,  
CALLAN, KOSTER, BRADY & BRENNAN, LLP

Attorneys for Defendant  
DR. LILIAN ALDANA-BERNIER  
One Whitehall Street, 10th Floor  
New York, New York 10004  
(212) 248-8800  
[bbrady@ckbbllaw.com](mailto:bbrady@ckbbllaw.com)

TO: JON L. NORINSBERG, ESQ. (JN2133)  
Attorney for Plaintiff  
225 Broadway, Suite 2700  
New York, New York 10007  
(212) 791-5396  
[norinsberg@aol.com](mailto:norinsberg@aol.com)

COHEN & FITCH, LLP  
GERALD COHEN (GC0414)  
JOSHUA FITCH (JF2813)  
Attorneys for Plaintiff  
225 Broadway, Suite 2700  
New York, New York 10007  
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[jfitch@cohenfitch.com](mailto:jfitch@cohenfitch.com)

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Plaintiff,

- against -

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Defendants.

-----X

COUNSELORS:

**PLEASE TAKE NOTICE** that the Examination Before Trial of Plaintiff and Defendants will be taken by the defendant, DR. LILIAN ALDANA-BERNIER, pursuant to Rule 30 F.R. Civ. P. at:

Time and Date: **December 11, 2010 at 2:00 p.m.**

Place: UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK COURTHOUSE

**PLEASE TAKE FURTHER NOTICE** that each party then and there to be examined is required to produce


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**NOTICE TO TAKE DEPOSITION  
UPON ORAL EXAMINATION**

*all books, papers and other things in the possession, custody or control of such party to be marked as exhibits, and used on the examination.*

Dated: New York, New York  
November 11, 2010

Yours, etc.,  
CALLAN, KOSTER, BRADY & BRENNAN, LLP

  
By: BRUCE M. BRADY, ESQ. (BMB4816)  
A Member of the Firm  
Attorneys for Defendant  
DR. LILIAN ALDANA-BERNIER  
One Whitehall Street, 10th Floor  
New York, New York 10004  
(212) 248-8800  
[bbrady@ckbbblaw.com](mailto:bbrady@ckbbblaw.com)

TO: JON L. NORINSBERG, ESQ. (JN2133)  
Attorney for Plaintiff  
225 Broadway, Suite 2700  
New York, New York 10007  
(212) 791-5396  
[norinsberg@aol.com](mailto:norinsberg@aol.com)

COHEN & FITCH, LLP  
GERALD COHEN (GC0414)  
JOSHUA FITCH (JF2813)  
Attorneys for Plaintiff  
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(212) 374-9115  
[gcohen@cohenfitch.com](mailto:gcohen@cohenfitch.com)  
[jfitch@cohenfitch.com](mailto:jfitch@cohenfitch.com)

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK       )  
                                      : SS.:  
COUNTY OF NEW YORK    )


CAMILLE D. PALMER, being duly sworn, deposes and says:

*I am not a party to the action, I am over 18 years of age and I reside in Queens County, State of New York.*


On November 11, 2010, I served a true copy of the annexed **NOTICE TO TAKE DEPOSITION UPON ORAL EXAMINATION** by mailing same in a sealed envelope with postage prepaid in an official depository of the U.S. Postal Service within the State of New York addressed to:

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\_\_\_\_\_  
CAMILLE D. PALMER

Sworn to before me this 11<sup>th</sup> day of November, 2010

  
\_\_\_\_\_  
NOTARY PUBLIC

Arlene Savarese  
NOTARY PUBLIC, State of New York  
No. 01SA6146568  
Qualified in Richmond County  
Term Expires: May 22, 20 11

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK                    )  
  ): SS.:  
COUNTY OF NEW YORK                )


CAMILLE D. PALMER, being duly sworn, deposes and says:

I am not a party to the action, I am over 18 years of age and I reside in Queens County, State of New York.

On November 11, 2010, I served a true copy of the annexed **DEFENDANT ALDANA-BERNIER'S FIRST SET OF INTERROGATORIES AND DEMANDS** by mailing same in a sealed envelope with postage prepaid in an official depository of the U.S. Postal Service within the State of New York addressed to:

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\_\_\_\_\_  
CAMILLE D. PALMER

Sworn to before me this 11<sup>th</sup> day of November, 2010

  
\_\_\_\_\_  
NOTARY PUBLIC

Arlene Savarese  
NOTARY PUBLIC, State of New York  
No. 018A6148568  
Qualified in Richmond County  
Term Expires: May 22, 20 11